# THE RELIGIOUS AND Loyal Proteſtation OF JOHN GAUDEN, Dr. in Divinity:

Againſt the declared Purpoſes and Proceedings of the ARMY and others, about the Trying and Deſtroying our Sovereign Lord the

# KING.

*Sent to a Colonel, to be preſented to His Excellency the Lord* FAIRFAX, *and his General Council of Officers, the* 5. *of* January, 1648.

*LONDON*,
Printed for *Richard Royſton*, at the Angel in *Ivie-lane*, 1660.

THE

# RELIGIOUS

## Loyal Protestation

# To the READER.

NOt any *vanity or oſtentation of bold and* unſeaſonable freedoms, (*which are not worth the hazards and diſpleaſures they may contract*) *but only duty and integrity commanding me reſolutely to look at Gods glory, and the diſcharge of my own Conſcience both to God and man, makes theſe enſuing* papers *become publick ; which I l[illegible]ly with all humility and charity preſented by the hand of a Colonel* ([illegible]*nce*) *to his Excellency the L. Gen.* Fairfax *and the reſt of the Council of War : Indeed I am perſwaded that God requires and looks for in the general over-awings of mens ſpirits,* (*who behold the Army more with terror than charity*) *ſome men ſpeedily to aſſert both his* righteouſneſs *and their own* uprightneſs, *amidſt and againſt the crooked and perverſe motions of others, in this* untoward generation ; *which is ready to* father *upon God and the* Chriſtian Reformed *Religion one of the moſt* adulterous, deformed *and* prodigious *iſſues that ever the corrupt hearts of the men of this world conceived, their* unbridled *power brought forth, or the* Sun *beheld.*

*Wherefore, as not by my* aſſent, *ſo neither by my* ſilence, *muſt I have any hand in the* midwifery *of ſo* monſtrous productions, *which ſeem to threaten the ruine of the* King, *and the ſubverting of all* fundamental conſtitutions, *as to Parliament, Laws and Liberties. Next to the betraying and killing of Chriſt was their ſin, who either denied or deſerted Him.*

*The* impetuous torrent *of* preſent *power having broken all banks of ancient* legal forms, *affairs ſeem now let out to ſuch general and* popular diffuſions, *that they admit no other* reſtraints, *but thoſe which the common* peoples *aſſents or diſſents may give to them.*

*It is hard, if among ſuch a multitude of men all their lawful* oaths, (*beſides their* proteſtations *and Covenants*) *their ſacred and* civil *ties ſhould not obtain ſo much of loyal and religious ſubjects, as by a word or two both decently and ſeaſonably to interpoſe, even now when* (*as the Lord liveth*) *there ſeems to be but a* ſtep *between the life of our Sovereign Lord the* King, *and ſome violent death.*

*Me-*

Thos. Thorp 119 no. 170 10/6

*Methinks I hear his Majeſty in His agony, ſolitude and expectation of an enforced death calling to me, and all other His Subjects,* You that never believed My Life was ſought after in the bottom of this war, but My *ſafety* and *honor*; you that profeſſed to abhor the fighting deſtinatly againſt Me, or deſtroying of Me; cannnot you, dare not you now ſpeak one *word* to ſave My Life and your own Soules? ſhall your *cowardly ſilence* ſeem to encourage and make up their *ſuffrages*, who therefore pretend they may and will deſtroy Me, becauſe it pleaſeth you and the generality of M[illegible]

*For my own part, as I hope to have communion with God in Chriſt, I dare not have any fellowſhip with ſo foul a ſin as the* Killing *of the* King; *but rather I ought to reprove it, and freely conteſt againſt it: Whatever His Majeſties ſins may be, yet I think Him not* criminal *or* obnoxious *to* any Tribunal *but that of God, whoſe* Deputation, Authority *or* Commiſſion *They can in no ſort (that I ſee) produce to any ſatisfaction of religious minds, who at preſent undertake to be His* Tryers, Judges, Condemners *and* Deſtroyers, *onely becauſe the* KING *is in their power. Whereas Gods Commiſſion, warranting ſuch an Act, ought to have not only the* ſtamp *and* image *of prevalent power on one ſide, (which the moſt flagitious actions oft have) but alſo the ſuperſcription of his word, and the expreſs ſignatures of his will, in the municipal* Laws *on the other ſide, by all which power is* derived, limited *and* warranted *to act with* moderation *and* righteouſneſs.

*I beſeech God to reſtrain power, to ſoften hearts, and to fruſtrate thoſe purpoſes, which to me ſeem to have ſo much of ſin, hell and horror; that if I hated the actors the moſt of any men, (which God knows I do not, but rather pity them and pray for them) I could not ſhew my hatred more againſt them, than by wiſhing them ingaged and ſuffering them to go on, thus to fill up the* meaſure of their ſins, *by deſtroying* Him, *for whom I have alwayes been taught, and now moſt of all do think it my duty to cry aloud,* GOD SAVE THE KING.

*So clearly pointing that ambiguous Verſe, which moſt men are afraid to do:*

Regem occidere noli. Timere bonum eſt.

Jan. 10. 1648. JOHN GAUDEN.

# TO HIS EXCELLENCY
## The Lᵈ FAIRFAX,
### And His Generall Councell of War.

Right-Honorable, and Honored Gentlemen, Your Power and Actions render you terrible, but that candor and affability which you ſay you bear to all makes you acceſſible, and invites Addreſſes to you, even from thoſe who differ from you. I am one of the leaſt conſiderable of many, as to any conteſting with you, or obſtructing your proceedings; yet ſince ſome of you (yeſterday) invited me, or any man, to a free declaring of our judgements, in order to the great Affaires you are now upon (wherein although your ſelves, as principall, are moſt concerned, yet my ſelf and others are like to be involved in the ſucceſſe of your actions, both as to my temporal and eternal wel-fare, if I either approve or diſſent.) My humble Requeſt to you is, That without contracting your diſpleaſure, I may uſe that *liberty*, which God and reaſon have allowed me, and your ſelves have not yet forbidden to me, or others in this way.

Happily I might with more ſafety in ſilence tremble before, and humbly adore the *Juſtice* and *Power* of the great God, which he hath by your means, and yet may carry on further againſt the ſins of this Nation; yet I conſider, not you only, but my ſelf am highly reſponſible both to God and Man, for what you doe, and I ſeem to conſent unto, in matters ſo enormous, of ſo vaſt and publique influence; both to the preſent Age and Poſterity.

You

you are not ignorant, that *Succeſſe* is a great *Bribe* and *Snare* to the *Judgement* where the heart is not very watchful over it ſelf, and much in Prayer to God for his wiſedom and Grace; which is moſt ſet forth in the uſing Succeſſes humbly, and honeſtly, to the advantages of Piety and Charity. Proſperous Power is loth to ſtop it ſelf with moderate bounds; or to ſuſpect it ſelf, either to want, or goe beyond, the line and limits of Juſtice; It is compaſſed about with many applauders and flatterers, who eaſily miſtake the fact it ſelf, or the confidence of the Agents, for the rule of Righteouſneſſe; and interpret *Gods permiſſion* of what may be very wicked and un-juſt, as his approbation and witneſſing to their Juſtice.

The *rule* and *ſtandard* of which (that is *humane Juſtice*) I think to be fixed and immovable; either as to thoſe general expreſſes which are in Gods written word; or thoſe ſetled *Laws* of *humane ſocieties*; by whichhis Providence (for the good of men) hath, in wayes of *publique* and *National conſent*, cleerly brought forth that *light* of *common and* politick reaſon, which but dimly ſhines in mans heart, ſingly and apart: the *divine goodneſſe* confining by ſuch publique and ſetled *regulations*, thoſe *exorbitant varieties*, to which mens private Reaſon, Will and power, are prone to break forth, in the fulfilling of their particular Luſts, to the injury of their Neighbours, and the detriment of the publique good.

In this point of juſtice I confeſſe I am not able to reſolve my ſelf, by any thing yet ſet forth (as to any grounds of God's or Man's Laws; or by your own ſometime declared Principles) ſo as in the leaſt kind, to juſtify what you formerly or lately have done, without, and againſt, the mind of the two Houſes of Parliament, Yet I ſee much of Gods light in *their* and *your* darkneſſe; of his *Order* and Glory in theſe *Common Confuſions.*

But there are many Perſons of abilities, far beyond mine, who in the point of their Priviledges, are more Perſonally concerned

to

to vindicate and aſſert them, againſt your impreſſions by force
*them*; who were undoubtedly the *fathers* and fountain of
your Power; as Souldiers; and *Their* Commiſſion, the Limitter,
as well as Licencer, of your Military Actions.

What is paſt upon the Houſes, can only have ſuch a remedy
and reparation as Providence ſhall ſee meet to grant.

That which *ſtrikes my Soul* with the greateſt horror and aſto-
niſhment is, how to reconcile your declared *purpoſes* againſt *the
King*, either with the civil opinion I deſire to retain of your Per-
ſons; or with that *common tenderneſſe* and duty, which both you,
and my ſelf, ought to beare toward his Majeſty.

The *Juſtice* you pretend to do againſt him, ſeems to me moſt
queſtionable, both for the *matter* or *merit*, as alſo for the man-
ner and form of the doing it: Since no power, that I know, hath,
or can under Heaven, inveſt you with any Authority, to do what
you ſeeme to intend.

The Laws of this Kingdom (I preſume your ſelves confeſſe,
and others have evidently evinced) are fully againſt you; giving
no Subjects in any Caſe, Judicial power over the life of their
King, or his Soveraignty.

The Word of God (ſo far as he hath given me to underſtand
it) neither affords any Precept, nor commends any example, in
this kind, to your imitation, but in both is abſolutely againſt you;
you cannot be ignorant of *Davids* both *Conſciencious* and *Gene-
rous reſpect* to *Sauls* ſafety and life, whom he leaves to Gods
Juſtice: And by no uſurpation of power, *ſucceſſe*, or *oportunities*
of revenge, ſuffers himſelf to be tempted, to prevent the hand
of God.

Never any *men* in the Church of God, of any name for piety
and holineſſe, are recorded to have done any ſuch Act of vio-
lence, againſt their lawfull Kings, ſuch as ours is confeſſed to be:
Never did *Chriſt* or his *Apoſtles*, by practice or precept, give the
leaſt intimation of the will of his *Father*, as agreeing to what

you declare to be your purpoſes; yea, I am fully perſwaded in *my Soul*, that if my *Saviour Jeſus Chriſt* were now living upon Earth, he would be utterly againſt your *Councels* and *Actions* in this point; agreeable to whoſe moſt holy mind, doctrine and example, all Chriſtians, that have truly feared God, have alſo honoured their Kings.

There have been indeed ſad examples of the violence of pretorian *Souldiers*, *Ianiſaries* and *Mamalukes*, ſuch as have followed a *Cæſar* or a *Scilla*, or a *Marius*, not knowing the mind of God in Chriſt: But never of any *Chriſtian Souldiers*, living in the power of Godlineſſe.

So that you being thus wholy deſtitute of any ſupport from God's word or mans Lawes, either for rule or example, to gaine my approbation, to what you meane to perpetrate in a way expoſed to ſo many *horrid aggravations*: Truly I ſhould think it not only my infinite ſin, to declare for you; but even by my ſilence, to betray you (in other things (poſſibly) gallant men) as much as in me lies, to ſo great, and almoſt *unexpiable* a ſin; where you, being deſtitute of any ſeeming grounds of right muſt needs ſin more againſt that *cleere light*, which ſhines upon you, and againſt your proceedings; which I cannot but intimate to you, ſince to your Souls I owe and beare a great Charity, next to the ſalvation of mine own.

Moreover by my ſilence in this great Cauſe I ſhould faile of that poor remainder of duty, which yet lies in the laſt point of my power, to expreſſe my allegiance and love to my *Soveraign Lord* and *King*; being one of his Subjects, and upon whom the many *Oaths* of God doe lye obliging me to deſire, and in all faire wayes to promote, His both Honour, and Safety.

You ſeem to take the firſt and greateſt riſe, for the juſtification of your proceedings, from thoſe advantages of meer natural or *martial power*, which are in your hands: of which you can have no comfort, as any token of Gods gracious and ſpecial favour

vour to you, (though never ſo proſperous) unleſs you have *his fear before your eyes*; which teacheth you to *refrain and depart from doing evil*, by keeping the exerciſe of your power within thoſe bounds of moral and political good, to which God calls you, by his *Word*, the *Laws* of the *Land*, and *more particularly* by your own derived *Commiſſion*: To all which, not only the prime ties of *Conſcience* to God, and *Allegiance* to the KING, but thoſe alſo of Honor, Faithfulneſs, Modeſty, and limited Truſt from the Parliament, ſhould oblige *you*, as men of true worth, and ſober valour; whoſe *will* ſhould never be the meaſure of their *power*, (as is in Pyrats and Robbers) but their *power* is and alwayes ought to be contained in thoſe *Religious* and Honorable *bounds*, wherein godly men alwayes keep their mortified and ſubdued *wills*; as *David* did, when he had to the perſonal injuries offer'd him, the advantages added, both of *power* and *opportunity* againſt K. *Saul*, for that of *Samuel's* ſeverity againſt *Agag*, you know, that neither is the KING an *Agag* to you, nor you as *Samuel* to Him.

Your next ſupport ſeems to be ſetled upon the *Peoples Petitioning*, and ſeeming to aſſent, to what you intend to do; when as I am very confident, and your ſelves cannot be ignorant, That if *Free ſuffrages* or *ſubſcriptions* of all the People were taken in the three *Kingdoms*, you would find forty to one againſt your Judgment and Proceedings; and theſe of very grave, ſober and conſiderable men.

So that I cannot, in order to my own and others eternal peace with God, but in all freedom (yet with all meekneſs and due reſpects) exhibit to you, as the chief Councellors and Managers of *the preſent Deſigns* againſt the *King*, this my *Loyal* and *Religious Proteſtation againſt it*, and my earneſt obteſtation of you; not to bring upon your ſouls and the Kingdom, (as much as in you lies) *the blood of His Majeſty the Lords Anointed*: That ſo I may at leaſt (as *Joſeph* of *Arimathea*) keep my ſelf unſpotted from it; whoſe voice cannot but cry as much louder, than any other

mans *unjustly* shed; as the bloud of *Adam* would have done, if *Cain* had slain him being his *father*, instead of *Abel* his brother.

You know the Caveat of the wise King SOLOMON, given and repeated, *There is a way which seemeth right unto a man, but the end thereof* are the wayes of death, *Prov.* 14.12. & 16.25.

I beseech you therefore in the *name* of God, and for the love of *Jesus Christ*, let not your being advanced so far be any hindrance to your *penitent* and *just retreat*; to which I think God calls you, as by many others worthier and abler than my self, so by this my *humble Remonstrance*; in which my unfeigned charity to your souls eternal good, as well as the KING's and Kingdoms temporal welfare may, and will with men that have any *touches* of *Gods Spirit* in them, plead my excuse, for my thus presuming to contradict your Councils, or *intercept your proceedings.*

Matters of so high a nature should either not at all be attempted, or publickly argued, at least with the greatest *calmness*, clearness and freedom; the last of which you have so obstructed, that most of those Lords and Gentlemen, who are as much related to the *King*, and interessed in the affairs of the *Kingdom*, as *your* selves, are denied to use or enjoy it.

I beseech you to remember what *mercies* you proclaim to the world God hath already shewed you; and what mercies you may yet stand in need of; what pretensions and assurances of *Moderation* and *Loyalty*, you sometimes made to the *King*: O let not the World find in the event, that your *pretended mercies* were *intended cruelties.*

After so long and so hard a restraint, which the King hath suffered with so much patience, after so many Concessions to his own diminution in order to the satisfaction of the *Parliaments*, the *Kingdomes*, and the *Armies* Interests both joynt and several, how can you in cool bloud, without any colour of due *Authority* from God or man, destroy *your* and *our King*; who cast himself into His subjects armes, and was received with *all assurances* of safety and Honour?

If His Majeſty erred in his Judgment or Councell, which put Him, (as He thought,) upon the neceſſary vindication of his juſt *Rights*, againſt thoſe, who, He was jealous went about to deprive Him *of them*, yet can no leſs revenge ſerve *Subjects* upon their lawful *King*, or *Sons* towards their *miſtaken Parent*, than after long and many heavy Afflictions, utterly to deſtroy Him, and His?

Forget not (as I hope you doe not) the *common* Errours, to which all men are ſubject; and thoſe *notorious* ones, with which, mutual re-criminations have aſperſed both *Parliament* and *Army*, and with which we have all cauſe to fear the moſt juſt Judg of heaven and earth will charge the moſt *preſuming innocence* of the beſt of *us all*.

O do not ſtain the repute of your *valour* by ſo mercileſs an Act, as the *deſtroying your King*; who is renowned even by ſome of your ſelves for the greatneſs of *His Underſtanding*, with many other *Princely vertues*, and incomparable endowments.

You are Gentlemen that pretend to walk by the rule of a good Conſcience before God and man; which muſt needs fail you, where God hath not given you either any *Scriptural command*, or any *Magiſtratick power* over or againſt the *King*; nay, you cannot but feel (I think) many checks and ſcruples, if not ſtrict ties to the contrary upon you, as well as other Subjects; which by no failings of the *King*, or any earthly Power can be diſpenſed with.

The preſage of that *deluge of miſeries*, likely to follow the ruine of the *KING*, in theſe miſerable Kingdomes, doth not ſo much terrifie me, as thoſe *ſins* which have deſerved and brought upon us ſo vaſt *Judgments*. To all which, the Addition of this both grand *ſin* and *Judgment*, of *deſtroying the KING*, againſt all *Laws* of *God* and Man, of War and Peace, of *Valour* and *Honor*, muſt needs become ſo far the *heavier*, as it becomes the more National; by drawing with it the *conſent* of others.

Wherefore I thought it my duty, (being exempted (through the love of God and Charity to your Souls) from that *ſpirit* of Bondage,

Bondage, which makes too many *ſervilely* fear your power;) thus to endeavour, as much as in me lies, to hinder the contagion of ſo great a Sin, and ſtand in the gap, both againſt the Sin, and enſuing Judgements: Having no other end in theſe ſudden lines, but to witneſſe to the *Truth of God*; to the Honour of the true *Chriſtian Religion*, to my particular *Duty*, and *Oathes* of *Allegiance*, as alſo to that Charity and Reſpect I bear to the welfare *of my Country*, and your *own Perſons*.

I had rather you ſhould ſee and prevent your ſins in ſuch glaſſes of free and fair *Remonſtrances*, then hear of them too late by the *Clamours*, *Curſes*, and bitter *Reproaches* of others; or in the fearfull *Ecchoes* of your own *moſt* troubled and terrified *Conſcienees*; and the juſt *wrath* of God upon *You* and the *Kingdome*.

I earneſtly beſeech God, moſt wiſe, and juſt diſpoſer of all things, (whoſe executive power wicked men oft unjuſtly uſurp; but gracious men never either invade or execute, without an orderly *Authority* derived, either immediately from *God*, or mediately from thoſe *politick Lawes*, and ſetled *Magiſtracies*, which are Gods *Ordinances* among men) Him I beſeech to look upon you in mercy; whoſe *ſin*, with *ſucceſſe*, will make you infinitely more miſerable then *the* KING, or any man can be, under the greateſt worldly ſufferings, which (I hope) God hath, and will further ſanctifie to Him.

That great *God and King* in his mercy incline your hearts to thoſe wayes, which are *clearly his will*; not as to private imaginations, (which are *various*, *falacious*, and dangerous:) but as to thoſe publick and infallible *Declarations* of his *Oracles*, and *Providence*, *viz.* the *Scriptures*, and our *Lawes*.

With regard to both which, moſt clear and conſtant *lights*; that, which you call *Juſtice* againſt *the* KING, ſeemes to me the greateſt and *unparalell'd* Injuſtice. What I humbly preſent to you in a way of a *moſt juſt*, and (at leaſt) a *merciful* tenderneſſe

neſſe towards *your Sovereign* and *your Souls*, is not more your duty, than it will be both your *Comfort* and *Commendation* for ever.

When the world ſhall ſee your *power* bounded with Loyalty, ſanctified with *Piety*, and ſweetned with *Pity*, not fooliſh and *feminine*, which I would have *below* you; but *maſculine*, heroick, truly *Chriſtian* and *Divine*: which commands you to adde to your other *Victories*, this crown of our *rejoycing* and your triumphs, the *Conqueſt* of your ſelves: by overcoming what you conceive evil and blamable in another, with ſuch unqueſtionable goodneſs in your ſelves.

Wherein I humbly intreat the *God of mercies* to make you to abound, over-powring all paſſions and frailties in you as men; and perfecting all graces in you as true Chriſtian Subjects to a *Chriſtian KING*.

This I write, and pray, as

January 5. 1648.

*Your faithful Monitor, and Servant, according to the Will of God,*

JOHN GAUDEN.

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TO

## To Col. *Whaley.*

*Your* friendlineſſe *and* Civility *hath given me ſome encouragement to intreat, that by your hand theſe encloſed papers may be preſented with my due and Chriſtian reſpects to his* Excellency, *and the Councell of War, when they next meet; My Motives to them, and the contents of them you will beſt underſtand, when you ſhall pleaſe to communicate them, as they are directed; I ſhall not, I hope, ſeeme when you heare or read them, to have made any ſiniſter or uncomely uſe of your favour, in offering to you, and by your mediation to them, ſuch conſiderations as carry with them the* weight, *not only of temporal, but eternall lives; and the Concernment of* many *Souls as well as* Bodies.

*I doubt not of your faithfulneſſe in fulfilling my requeſt to you; nor yet of your Candour, in not miſ-interpreting that modeſt freedom I have taken; for which, as I have the greateſt* compulſions from within, *ſo I had no ſmall invitations from your ſelf, and others of your Company yeſterday; when by your wonted and* Commendable Courteſie *you added many obligations to thoſe, which you formerly had upon*

SIR,

Your moſt faithfull friend

*Jan.* 5. 1648. and ſervant in the Lord,

*J. G.*

*FINIS.*